

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Kenneth Moore,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:08-CV-02862
)	Honorable James B. Zagel
Peerless Group, Inc., The Peerless Group,)	
Peerless Machinery Corp., Peerless)	
Confection Company,)	
)	
and, in the alternative,)	
)	
Shaffer Manufacturing Corp,)	
)	
Defendants.)	

**PLAINTIFF'S ANSWERS TO DEFENDANT'S, SHAFFER,
AFFIRMATIVE DEFENSES**

NOW COMES Plaintiff, KENNETH MOORE, by and through his attorneys Cochran, Cherry, Givens, Smith & Montgomery, LLC, and for his Answer to Defendant, SHAFFER MANUFACTURING CORP., (hereinafter, SHAFFER), Special Defenses to Plaintiff's Complaint at Law, states as follows:

FIRST SPECIAL DEFENSE - ASSUMPTION OF RISK

ANSWER:

Plaintiff denies each and every allegation contained in Defendant, Shaffer, first Special Defense. In further answering, Plaintiff, Kenneth Moore, denies that he was negligent in any fashion or that he assumed any risk or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this

Honorable Court against Defendant, SHAFFER, and dismissal of its first Special Defense.

SECOND SPECIAL DEFENSE - MISUSE OF PRODUCT

ANSWER:

Plaintiff denies each and every allegation contained in Defendant, Shaffer, second Special Defense. In further answering, Plaintiff, Kenneth Moore, denies that he misused the produce or was negligent in any fashion or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, SHAFFER, and dismissal of its second Special Defense.

THIRD SPECIAL DEFENSE - COMPARATIVE FAULT

ANSWER:

Plaintiff denies each and every allegation contained in Defendant, Shaffer, third Special Defense, including each and every paragraph and subparagraph which purports to allege a Special Defense or the bases thereof. In further answering, Plaintiff, Kenneth Moore, denies that he was negligent in any fashion or that any of his conduct or actions were contributing factors, in whole or in part, to his injuries.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this Honorable Court against Defendant, SHAFFER, and dismissal of its third Special Defense.

FOURTH SPECIAL DEFENSE - STATUE OF REPOSE

ANSWER:

Plaintiff denies each and every allegation contained in Defendant, Shaffer, fourth Special Defense.

WHEREFORE, Plaintiff, KENNETH MOORE, respectfully requests judgment by this

Honorable Court against Defendant, SHAFFER, and the dismissal of its fourth Special Defense.

Respectfully submitted,

By: Beverly Spearman
One of Plaintiff's Attorneys

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